



Arizona Juvenile Justice Commission Meeting Minutes

November 18, 2010

9:30 AM

BLACK CANYON CONFERENCE CENTER

9440 N. 25th Ave.

Phoenix, AZ 85021

A meeting of the Arizona Juvenile Justice Commission convened on November 18, 2010 at the Black Canyon Conference Center, 9440 N. 25th Ave., Phoenix, AZ 85021. Present and absent were the following members:

Members Present		
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Cindi Nannetti	Rob Lubitz	Tim Dunst
Derrick Johnson	Vada Jo Phelps	Guy Penns
Mike Branham	June Willson	Jane Kallal
Dennis Pickering	Tom Pickrell	
Chad Campbell	Chris Schopen	
Dan Goldfine	Robert Duber	
Alice Bustillo	Robert Thomas	
James Molina	Helen Gandara	

Staff/Guests Present	Members Absent		
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Christy Alonzo-Silvestri	Cecil Patterson, Jr.	Sammy Robinson	Jessica Hermann
Steve Selover	Xavier Cameron	Merissa Amiri	Myrtle Young
Sonya Pierce-Johnson	Robert Brutinel	Nina White	Judy Tom
Tammy Paz-Combs	Carol Hirschberg-James		Shaun Rieve
Michelle Neitch			
John Vivian			
Jenna Snyder			
Victor De La Cerda			

A. Call to Order

Vice-Chair Cindi Nannetti called the meeting to order at 9:40 a.m. with eighteen (18) members, four (4) staff, and four (4) guests present. Vice-Chair Nannetti noted agenda items may be moved around as the day progresses.

B. Review of September 16, 2010 Minutes

Mike Branham moved to approve the minutes from the September 16, 2010

Arizona Juvenile Justice Commission meeting as drafted. Vada Jo Phelps seconded the motion. Motion carried.

D. 2010 Juveniles Processed Report

David Redpath, Research Specialist with the Administrative Office of the Courts (AOC) provided an overview of the 2010 Juveniles Processed Report which is scheduled to be released in December. Mr. Redpath highlighted decision points that showed a decline from previous years, including a 30% decrease in youth referred to the adult court.

A question was raised regarding the “unaccounted” for youth between referrals and petitions filed. One possible explanation was referrals were handled by lower jurisdictional courts such as City Courts. It was suggested that the Chiefs and Sheriffs Association be contacted to provide additional possible explanations. Director Branham volunteered to assist in this effort.

Mr. Redpath stated he will pass along the link for the full report once it is made public.

E. Arizona Youth Survey 2010

Michelle Neitch with the Arizona Criminal Justice Commission discussed data from the recently completed 2010 Arizona Youth Survey. Ms. Neitch noted that the survey is administered to 8th, 10th and 12th graders throughout the state, and is a self-report survey.

Approximately 110,000 surveys were administered throughout the State to the selected target audience at schools volunteering to participate. She described five (5) validity measures put in place noting that once screened for those measures, approximately 63,000 surveys were valid.

Ms. Neitch acknowledges percentages were highlighted during her presentation and offered to assist the Commission in gathering specific data and/or measures as requested.

F. Arizona Department of Juvenile Corrections

Dr. John Vivian, Research and Development Administrator with the Arizona Department of Juvenile Corrections (ADJC) provided an overview of the youth committed to ADJC in FY2010.

He noted that during the fiscal year, 1,079 youth were committed to the department with approximately half of those youth paroled. Dr. Vivian stressed that the number of youth in secure care during fiscal year 2010 was the lowest since 1981. Other points highlighted by Dr. Vivian included an increase in the female population by 13%, close to half of the youth committed to the department were Hispanic, and the most common committing offense was property offenses.

Several Commission members inquired about the definition of “Public Order” offenses. Dr. Vivian stated he would seek a definition and/or examples and provide them to the Commission.

C. By-law Recommendations

Rob Lubitz presented updates to the by-laws that reflect language outlined in the Executive Order. He also discussed three areas the committee was tasked to re-visit after

the last Commission meeting. Those areas included the use of proxies, the committee section of the by-laws and non-commission members on committees.

Bob Thomas felt protection of the community should be included in Article I, Section 3.

It was also brought up that during the Executive Committee; members voiced a need to include language regarding attendance in the by-laws.

Judge Duber moved to recommend by-laws as drafted and authorize the Executive Committee to explore language surrounding commission member attendance. Dan Goldfine seconded the motion. Motion was denied.

Rob Lubitz moved to recommend the by-laws to Executive Staff as drafted. Dan Goldfine seconded the motion. Motion carried.

Bob Thomas moved to amend the by-laws prior to submitting to Executive Staff to include community protection in Article I, Section 3. Tim Dunst seconded the motion. Motion carried with one opposed.

Guy Penns moved to amend the by-laws prior to submitting to Executive Staff to include four (4) consecutively missed meetings would result in that member being recommended to be removed or resign from the Commission. Mike Branham amended the motion to read, upon a member consecutively missing four (4) Commission meetings, the Chair would reach out to that member and have the discretion to recommend removal from the Commission. Dan Goldfine seconded the motion. Motion carried.

G. Title II

1. 2009 Compliance Finding

Christy Alonzo-Silvestri, Juvenile Justice Specialist informed Commission members that the Office of Juvenile Justice and Delinquency Prevention (OJJDP) found the State of Arizona out of compliance with the Deinstitutionalization of Status Offenders core requirement based on the 2009 numbers, which may result in a 20% loss of funding, and a requirement that 50% of the remaining award be used to address compliance. She mentioned that an appeal letter had been sent to OJJDP's Legal Council however it is unclear when a decision regarding the appeal letter will be made.

- a. The Commission also discussed how the current subgrantee programs will continue with a potential loss of funding. Ms. Alonzo-Silvestri initially discussed that the programs may have to be cut across the board. However, Judge Dubber felt that cuts across the board would not be beneficial and recommended that all programs should be looked at on an individual basis. The Commission members asked Ms. Alonzo-Silvestri to look at the following options: Are there other funding options available?

- b. Which of the current subgrantees have not started utilizing their funding i.e. vacant positions, etc? If they haven't begun their start up they may want to wait until a decision is made regarding the cut to the programs.
- c. Discuss with each subgrantee what the impact would be on their program if there was a 13-15% reduction in their funding.
- d. Rob Lubitz recommended possibly utilizing some of the Commission's budget to offset the loss.

After these options are explored it was recommended to have the Executive Committee meet to discuss Ms. Alonzo-Silvestri findings.

Mike Branham moved to recommend the options be explored by Ms. Alonzo-Silvestri and report back to the Executive Committee for direction. Chad Campbell seconded the motion. Motion carried.

H. Juvenile Accountability Block Grant

1. Pass-Through Purpose Areas

Sonya Pierce-Johnson, JABG Program Administrator, provided a brief overview on JABG, reminding Commission Members that contracts were written for one-year beginning October 1, 2010 instead of the historical two-year contracts. Ms. Pierce-Johnson referred members to the handout outlining the 17 JABG purpose areas noting that previous subgrantees were able to submit applications for any of the areas listed. Currently, 5 purpose areas are being utilized. The Commission should determine whether to continue all 17 areas as an option, or focus on a few for all subgrantees to use.

Ms. Pierce-Johnson did note that during the most recent application period, the Commission chose to direct Maricopa County to use their JABG dollars in the accountability purpose area in order to address their deinstitutionalization of status offender compliance issue.

Mike Branham moved to allow subgrantees to choose from any of the 17 purpose areas unless there is a compliance issue with subgrantee, in which case their JABG funds shall be used to address the compliance issue. Rob Lubitz seconded the motion. The motion carried.

2. State Retained Distribution

Ms. Pierce-Johnson asked the Commission to determine how state-retained JABG dollars will be distributed in the coming year. She noted that this past year and a few years prior, available amount (state retained plus interest) was split 50/50 between the Department of Juvenile Corrections, and the Administrative Office of the Courts.

Derrick Johnson mentioned that in previous years, awards to the state agencies were made based on need. He stated the agencies would prepare applications and

budgets based on the current need of the agency and the Commission would determine which need(s) to fund.

Vada Jo Phelps moved to fund state retained dollars based on the need of the Administrative Office of the Court and the Arizona Department of Juvenile Corrections . June Willson seconded the motion. Motion carried.

(Note: Mike Branham and Chad Campbell abstained from discussion and vote).

Ms. Pierce-Johnson reported that prior to last summer, state retained dollars were distributed every other year, for one year contracts. However, in July 2009 due to a proposal by the Legislature regarding the Department of Juvenile Corrections, the Commission chose to utilize state retained dollars and interest from the 2007 and 2008 awards only, and release the 2009 dollars in 2011 rather than wait until 2012, dependent upon the result of the legislation. Ms. Pierce-Johnson requested the Commission determine if state retained dollars should be distributed annually, or every other year to provide a larger amount of money.

June Willson moved to award state retained dollars on an annual basis. Tom Pickrell seconded the motion. Motion carried.

(Note: Mike Branham and Chad Campbell abstained from discussion and vote).

I. 2010 Compliance Update

Steve Selover, Compliance Monitor, discussed 2010's data which is based on the actualized numbers of the first 6 months of calendar year 2010. He noted that the deinstitutionalization of status offender rate decreased a few points, however it still falls above the de minimus rate. Mr. Selover did point out that while San Carols Apache Tribe did contribute to violations for the first 6 months, he did not include them in actualizing for the remainder of the year since they were no longer reporting.

Mr. Selover did note that the jail removal rate decreased enough to put the state in the numerical category that finds us in full compliance.

The 2010 data and report will be submitted to OJJDP in June of 2011. Commission members will receive a copy of the report upon completion.

Cindi Nannetti mentioned that she was able to discuss the importance of compliance with the Juvenile Justice and Delinquency Prevention Act with a legal advisor who suggested developing 4-5 scenarios where compliance is an issue and she will provide them to legal advisors to get out to departments. Mr. Selover will work on request.

J. Governor's Youth Commission

Victor De La Cerda, Chair of the Juvenile Justice Committee of the Governor's Youth Commission (GYC), provided some background on the GYC. Mr. Cerda mentioned that his committee began as an alcohol committee, but broadened their scope after continuing to hear that juvenile detention and juvenile justice was an issue.

Mr. De La Cerda described two activities his committee has discussed to address findings from a report developed by the GYC in 2009, requesting input and suggestions from commission members. (The full report can be found at http://gocyf.az.gov/CYD/Documents/CYD_Report_0709.pdf.)

The first activity Mr. Cerda discussed was a database that would identify services and providers in individual communities. The question was raised as to what would be the hook to get youth to visit the website in order to seek services? Mr. Cerda noted the website would be intended for youth advocates that were seeking services/providers to assist youth, not necessarily directed at youth.

Commission Members suggested researching existing websites similar to that being proposed by the committee, and potentially developing a site to be a link to already existing sites. *Law for Kids* and *Teen Law School* were also suggested to research and include on their site.

One member of the Commission suggested the Juvenile Justice Committee share their findings with the institutions that they spoke with when developing their report.

The second activity described by Mr. De La Cerda was a documentary that would be media based, utilizing YouTube and other media outlets that would provide perspectives from youth, teachers and community members on the juvenile justice system in Arizona. Commission members agreed this activity would be beneficial and the social networking sites and media outlets discussed were excellent choices.

Commission members with additional suggestions or interested in assisting the committee in completing these activities may contact Mr. De La Cerda at victor.dlc12@gmail.com.

K. Updates and Announcements

Dennis Pickering announced that next month's Federal Advisory Committee on Juvenile Justice (FACJJ) meeting will be his last, therefore the Commission must select another member to represent Arizona on this committee in January. Mr. Pickering stated that the committee will be meeting with the Federal Coordinating Counsel at this meeting with one of the topics surrounding tribal youth.

Chad Campbell announced that the Juvenile Justice Services Division of the Administrative Office of the Courts (AOC) made it through the first round of evaluations for the Innovations in Government Award for their Arizona Standardized Program Evaluation Protocol (AZ SPEP). The SPEP is a practical approach for evaluating juvenile justice treatment programs based on how closely each program reflects evidence based practices most associated with recidivism reduction. If the program is chosen, the SPEP and the AOC would receive a \$100,000 award.

Rob Lubitz announced that he and Jeanne Brandner from the AOC were asked to sit on a panel in December at a Georgetown symposium to highlight the AOC's work around

Evidence Base Practice, specifically the Standardized Performance Evaluation Project (SPEP).

L. Call to the Public

There was no comment from the public.

M. Adjourn

Vice-Chair Nannetti adjourned the Arizona Juvenile Justice Commission meeting at 4:00 pm.

DRAFT